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4 JOHNATHAN R. BORDELON,
5 Plaintiff
6 v.
7 CONTRA COSTA COUNTY SHERIFF'S
8 DEPARTMENT, et. al.,
9 Defendants.

10 Case No. 23-cv-06070-PCP
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13 **ORDER DISMISSING ACTION
14 WITHOUT PREJUDICE**

15 The above-captioned pro se civil rights action was filed on November 22, 2023. On that
16 date, the Clerk notified Plaintiff that the action was deficient due to the failure to pay the filing fee,
17 or to complete an *in forma pauperis* application. Dkt. No. 2. Plaintiff was advised that failure to
18 pay the fee or file the application within 28 days would result in dismissal of the action. *See id.*

19 Plaintiff did not pay the filing fee or file an *in forma pauperis* application. The deadline by
20 which to do so has passed. Accordingly, this federal civil rights action is DISMISSED without
prejudice for failure to comply with the Clerk's Notice and for failure to prosecute. *See* Federal
Rule of Civil Procedure 41(b).

21 Because this dismissal is without prejudice, Plaintiff may ask to reopen the action. To do
22 this, he must file a motion with the words MOTION TO REOPEN written on the first page.
23 Plaintiff must file and perfect his IFP application together with any request to reopen this action.

24 The Clerk shall terminate all pending motions and close the file.

25 **IT IS SO ORDERED.**

26 Dated: March 13, 2024

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P. Casey Pitts
United States District Judge